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FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2007 OCT 18 AM 9:58

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Florentino FIGUEROA-Sanchez

Defendant.

Magistrate Case No. _____

07 MJ 2490

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(1)(A)(iv)-Inducing and
Encouraging Illegal Alien(s)
To Enter the United States

The undersigned complainant being duly sworn states:

On or about **October 17, 2007**, within the Southern District of California, defendant **Florentino FIGUEROA-Sanchez**, did encourage and induce an alien, namely **Miriam BARRONA-Lopez** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th DAY OF
October, 2007.


UNITED STATES MAGISTRATE JUDGE

OK

PROBABLE CAUSE STATEMENT

The complainant states that **Miriam BARHONA-Lopez** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On **October 17, 2007** at approximately 2:00 PM, **Florentino FIGUEROA-Sanchez (Defendant)** made application for admission into the United States driving a green Mazda 626 at the San Ysidro Port of Entry. While conducting pre-primary inspections, a Customs and Border Protection (CBP) Officer approached Defendant and received two negative customs declarations. The CBP Officer requested to see entry documented and noticed that Defendant and the two female passengers were impostors to the DSP-150 Border Crossing Cards presented. CBP Officers escorted the vehicle and its occupants to the secondary area for further inspection.

In secondary, Defendant and the female passengers were determined to be citizens of Mexico with no entitlements to enter, pass-through, or reside in the United States. One is now identified as a Material Witness: **Miriam BARHONA-Lopez**.

During an interview, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted an unknown man provided him with the DSP-150 Border Crossing Card and the vehicle. Defendant stated that for driving the vehicle into the United States, he was not going to have to pay a smuggling fee of \$500.00 (USD). Defendant stated he was going to drive the vehicle to a shopping center in Chula Vista, California. Defendant stated that he knew the document he and the other occupants of the vehicle presented did not belong to them.

An interview was conducted with Material Witness. Material Witness stated she is a naturalized citizen of Mexico with no documents to lawfully enter or reside in the United States. Material Witness stated she made the arrangements with an unknown female for her to be smuggled into the United States and has paid \$100.00 (USD) up front with an additional \$2500.00 (USD) due at a later time if she made it across. Material Witness stated she intended to travel to the San Diego to find work.


SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer


UNITED STATES MAGISTRATE JUDGE